Henry Hyde on The Intelligence

Oversight Comm.

NATIONAL REVIEW

Ronald Reagan
The Ayes and the Nays —
The Ayes have it

articles by Richard Brookhiser
also: C. D. Williams · Ernest van den Haag
William A. Rusher

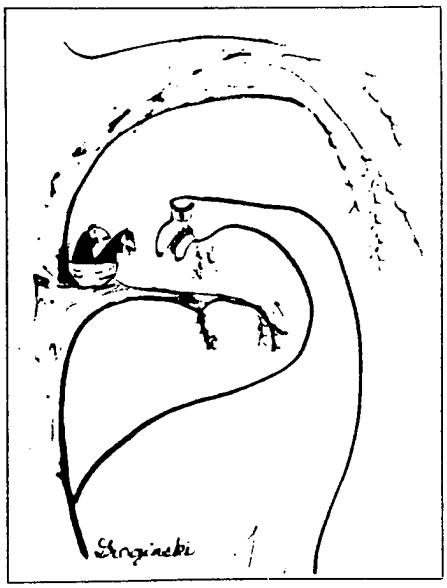
CAN CONGRESS KEEP A SECRET?

THE FUROR IN Congress over the mining of Nicaraguan harbors highlights a question of overwhelming importance: Is Congress capable of practicing responsible oversight of intelligence activities, once those activities are viewed as an integral part of a foreign policy that has become the subject of partisan political debate?

The current situation derives, ultimately, from the aftermath of Vietnam and Watergate. Panels headed by then-Congressman Otis Pike and the late Senator Frank Church carried out extensive investigations of U.S. intelligence activities in the mid-Seventies; in the wake of these investigations, both Houses of Congress decided to establish select committees on intelligence. For a while, both of these committees appeared to conduct their business in an amicable and bipartisan manner with little evidence of politicization. Unfortunately, that state of affairs was too good to last, and for the past two years or so, the House Permanent Select Committee on Intelligence, in particular, has become radically politicized. So much so, in fact, that one of the intelligence community's most illustrious and respected alumni, retired Admiral Bobby Inman, resigned in 1982 as a consultant to the committee because he felt it had become politically partisan. Inman, a former director of the National Security Agency and deputy director of Central Intelligence, explained that the oversight committees must be nonpolitical to earn public credibility. "If the country doesn't establish a bipartisan approach to intelligence, we are not going to face the problems of the next fifty years," he added.

The calculated, politically motivated leaking of highly sensitive information has become a Washington art form. This art was practiced to great effect during Congress's consideration of the mining of Nicaraguan harbors. A number of senators who knew about the mining when they voted additional assistance for the *Contras* turned around after the leaks and voted for a resolution prohibiting the mining. This flip-flop called into question the integrity of the whole oversight process, and jeopardized the President's Central American aid program. Senator Patrick Leahy and I have strong differences of opinion regarding the United States' involvement in Nicaragua, but the senator was right on the mark when he said, "There were senators who voted one way the week before and a different way the following week who knew about the mining in both instances and I think were influenced by public opinion, and I think that's wrong and that is a lousy job of legislative action."

As the publicity spread, the integrity of the oversight process deteriorated yet further. A cardinal rule in intelligence is not to comment on news accounts regarding sensitive operations. Yet, we saw Representative Edward P. Boland (D., Mass.), chairman of the House Permanent Select Intelligence Committee, do just that before the House Rules Committee, and subsequently on the House floor. Ironically, according to one press account, Boland's disclosures were partly motivated by a desire to counter charges that the CIA had not fully briefed the committee on mining activities. That's a commendable reason, but at what cost to our intelligence capabilities?



"Frankly I'll be glad when that one's extinct."

Then, in a move that must have left foreign intelligence services gaping, the CIA issued a press release acknowledging its involvement in the mining by citing 11 occasions when it briefed congressional intelligence committees on the matter.

What an unseemly spectacle then unfolded! Senator Goldwater, the chairman of the Senate Intelligence Committee, excoriated the CIA for not being forthcoming. Shortly thereafter, Senator Moynihan, the committee vice chairman, announced his resignation from the committee, claiming that he had not been properly briefed on the mining matter either. That charge was particularly perplexing inasmuch as Senator Moynihan had reportedly requested a legal opinion from the State Department on the mining question a week before the Senate vote on assistance to the Nicaraguan resistance forces. Nevertheless, CIA Director William Casey (in a triumph of discretion over valor) apologized to the Senate Intelligence Committee for his perceived sins, and Senator Moynihan decided to remain on the committee. The upshot of this bizarre scenario has been a serious deterioration in relations between the CIA and Congress.

All of this, of course, makes a mockery of the oversight system and of what must be the most overt covert program in intelligence annals. If what

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Mr. Hyde, Republican representative from Illinois, is a member of the House Foreign Affairs Committee.

up. But this could change literally overnight. Therefore, common sense would suggest that, given the uncertainty of supply and their common aims, the U.S. and Japan should cooperate more closely. But Vernon thinks not. He sees the cultural patterns of the two as "extraordinarily disparate to the point of incompatibility." On the other hand, he doesn't foresee estrangement and hostility ultimately leading to divorce. In Vernon's view, the U.S. and Japan are "the odd couple, sharing little in habits, values, and aspirations, yet unable to make any other choice but to accommodate one another's existence." For a tight study of international relations and commodity markets, as well as some sharp sociological insights, *Two Hungry Giants* is well worth reading.

JACK D. KIRWAN

The New Grove Mozart, by Stanley Sadie (Norton, 247 pp., $16.50; $7.95 paper)

THE 1980 EDITION of *Grove's Dictionary of Music and Musicians*, known as *The New Grove*, has been widely acclaimed as the single most comprehensive English-language musical reference work ever published. It is also horrendously expensive. For the benefit of your average indigent musician who would like to have easier access to so marvelous a research tool, Norton is bringing out a series of single-volume composer biographies drawn from *The New Grove*. Each volume contains the full text of the original article complete with bibliography and work-list, the whole corrected and updated in the light of recent musicological research. Of the first five volumes in the series, Stanley Sadie's *The New Grove Mozart* wins the honors by a nose: It's the best short study of Mozart's life and work ever to see print, and it clearly deserved publication as a separate volume. (Stanley Sadie, incidentally, edited the complete *New Grove*.) This is not to say that the other volumes are less than excellent; Nicholas Temperley's ten-page discussion of the Bach "revival" in *The New Grove Bach Family*, for example, is exemplary in its compression and clarity. Christoph Wolff is the principal author of *The New Grove Bach Family*; other volumes in this initial release include Winton Dean on Handel, Jens Peter Larsen on Haydn, and Maurice J. E. Brown on Schubert.

TERRY TEACHOUT

HYDE

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is at stake here were not so important, we could pause and have a good laugh at ourselves. But, unfortunately, our intelligence contacts around the world have taken note of this sorry performance, as have thousands of Miskito Indians and other Nicaraguans dependent on us for continued support. What they have observed cannot be reassuring.

It appears the only way to mount a successful covert operation these days is for such an activity to have the unanimous support of both intelligence committees and the involved agencies of the intelligence community. Anything short of that is doomed to failure. With politics intruding so heavily in the process, more debacles are a distinct possibility.

Major surgery is in order.

It is time to give serious thought to merging the existing intelligence committees into a joint committee composed equally of Republicans and Democrats who, in addition to the requisite trustworthiness, competence, and responsibility, can be depended upon to subordinate political considerations to the national interest. Such a committee should be backed by a small cadre of apolitical professionals with the same exemplary personal qualities as the committee members. Creating a new joint oversight panel along these lines would significantly reduce the number of individuals having access to sensitive information, thus minimizing the risk of unauthorized leaks.

It would also address some practical problems. As we have learned in the Nicaraguan affair, there is little interaction or coordination between the two intelligence oversight committees. Moreover, the committees frequently reflect differing perspectives. For example, it was recently leaked that the House committee felt the CIA might have overspent its budget in its covert operations in Nicaragua. This view was not shared by the Senate Intelligence Committee. The result was confusion.

A joint oversight committee would eliminate these problems, encourage bipartisan cooperation, and ensure a more effective congressional oversight arrangement. □